



US EPA RECORDS CENTER REGION 5



CERTIFIED/RETURN RECEIPT REQUESTED

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March 1, 2012

Ms. Deena Sheppard  
Enforcement Specialist  
U.S. Environmental Protection Agency – Region 5  
Superfund Division SE-5J  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

**RE:** Tyco Responses to Request for Information:  
Gary Development Landfill, Gary, IN  
CERCLIS ID No.: IND077005916

Dear Ms. Sheppard:

Attached are responses submitted by Tyco International, on behalf of Ansul, Inc., regarding the Request for Information concerning the Gary Development Landfill Site located at 479 Cline Avenue, in the City of Gary, Lake County, Indiana; CERCLIS ID No: IND077005916.

I have previously contacted Ms. Nichole Wood-Chi, Associate Regional Counsel, Region V, with respect to my responses at #26-35.

Please let me know if there are any further questions on this matter at this time.

Thank you.

Sincerely,

Joseph L. Schohn  
Counsel  
Environment, Health and Safety

Attachments

**TYCO Responses to Agency Questions Contained in Enclosure 6 of the GDC Landfill 104(e) Request Received 5Jan'12: Agency Questions are repeated in exact original order and Tyco Responses are provided immediately following. Submitted by TYCO 1Mar'12.**

All questions were answered based on information gathered during the period immediately following receipt of the Request on 5Jan'12 and continuing through 29Feb'12. The due diligence process included review of internal and outside-warehoused files and numerous file indices covering the relevant period of this request; interviews were conducted of available current and former employees with regard to the specific subject matter of this request. Those who participated in the due diligence investigations leading to this response are:

- Joseph L. Schohn, in-house EHS Counsel, Tyco International, 9 Roszel Road, Princeton, NJ 08540, (O) 609-806-2469.
- Scott Stacy, Environmental Engineer, Tyco Fire Protection Products, Marinette Operations, One Stanton Street, Marinette, WI 54143, (O) 715-735-7411, x73521
- Paul Stachewicz, Environmental, Health and Safety Manager, Tyco Fire Protection Products, Marinette Operations, One Stanton Street, Marinette, WI 54143, (O) 715-735-7411, x73286
- John Perkins, Sr. Director, Environment, Health & Safety, Tyco Fire Protection Products, 1501 Yamato Road, Boca Raton, FL 33431, (O)561-226-3481

1. Provide copies of all documents, records, and correspondence in your possession relating to Gary Development Landfill.

*TYCO Response #1: Tyco Fire Protection Products ("Tyco"), on behalf of Ansul, Inc. has conducted an extensive document review and investigation in its attempt to properly respond to this 104(e) request. No documents, records or correspondence have been found that relate in any way to the Gary Development Landfill ("GDC Landfill"); likewise, no current or former employees who were interviewed during this investigation expressed any knowledge of or familiarity with the GDC Landfill.*

2. Identify and describe, and provide all documents that refer or relate to:

*TYCO Response #2: Upon request for nexus documentation, Tyco was provided a copy of a report entitled "Gary Development Company, Inc. Landfill" initiated by Mathew T. Klein, Hazardous Waste Section, Office of Enforcement, Indiana Department of Environmental Management, and dated 14Oct'96. That document mentions a list of companies that are alleged to have transported wastes to the GDC Landfill via certain listed transporters. The letter was apparently dated on/about 11Mar'77 and associates "Ansul Corporation" as the generator of "phenolic wastes" allegedly disposed of at GDC Landfill. Tyco's responses to the balance of this 104(e) request focus on the matter of "phenolic wastewater waste streams" during the relevant time period.*

- a. The precise location, address, and name of the facility where disposal, treatment, unloading, management, and handling of the hazardous substances occurred. Provide the official name of the facility and a description of the facility where each hazardous substance involved in such transactions was actually disposed or treated.

*TYCO Response #2a: One document was found that described "phenolic wastewater" as a residue created in the Chemical Manufacturing Bldg (Bldg 38) at the Ansul facility, One Stanton Street, Marinette, Wisconsin 54143-2542. The document, dated 13Sep81, indicates that Phenol Wastewater Residue was disposed of through Waste Management, Inc at its Calumet City, Illinois facility as a non-hazardous, non-regulated special waste. Prior to disposal via Waste Management, Inc. and believed to have taken place through most of the 1970's, the local POTW permitted disposal of this waste stream via the sewer along with sanitary and other process wastewaters. See Attachment 2A.*

- b. If the location or facility of such disposal, treatment, unloading, management and handling is a different location or facility than what was originally intended, please provide all documents that relate and/or refer to why the substances came to be located at the different location or facility.

*TYCO Response #2b: Tyco has no knowledge of and has found no documentation that relates to its phenolic wastewater being disposed of at any location other than at the Calumet City Waste Management, Inc. facility in Calumet, Illinois.*

- c. All intermediate sites where the hazardous substances involved in each arrangement were transshipped, or where they were stored or held, any time prior to final treatment or disposal.

*TYCO Response #2c: Tyco has no knowledge of and has found no documentation that relates to any intermediate sites being used or associated with its disposal of phenolic wastewater.*

- d. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all hazardous substances involved in each arrangement.

*TYCO Response #2d: Limited documentation describes the phenolic wastewater only as a liquid requiring a "tank truck" for transportation to the Waste Management Calumet City facility. No other data was found to describe the nature of the phenolic wastewater. The author of this response also interviewed a former employee, Mr. John Nicholas, a Facilities Plant Engineer, who also held the EHS role for several years in the 1980's. Mr. Nicholas indicated that phenolic wastewater waste product was only intermittently generated and "at a rate of between 20-50 drums per year for only a few years". He indicated that he believed the waste stream was associated with a distillation process and that it constituted the still-bottoms from that final distillation process.*

- e. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement.

*TYCO Response #2e: The entire shipment of phenolic wastewater, 100%, was classified as "Not Hazardous" pursuant to EPA Hazard Designation and as "Non-Regulated" pursuant to the Department of Transportation's classification requirements.*

- f. The condition of the transferred material containing hazardous substances when it was stored, disposed, treated or transported for disposal or treatment.

*TYCO Response #2f: The phenolic wastewater would have been a liquid at room temperature and, based on information in the documentation provided or based on Mr. Nicholas's recollection, was generated at either drum or tank truck volumes on an intermittent and limited basis.*

- g. The markings on and type, condition and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment.

*TYCO Response #2g: No documentation has been found to quantify the number of total containers containing phenolic wastewaters that were shipped to Waste Management's Calumet City Facility; however, communications with Dan Heidenrich, Midwest Group Manager for Waste Management by Tyco's EHS Marinette, WI EHS Manager, indicated that tank truck liquids would have been accepted only between Sep81 and Sep82, since a landfill liquid ban became effective on/about 1Sep82 and his company's policy was to keep documents on-site for only a three year period.*

- h. All tests, analyses, analytical results and manifests concerning each hazardous substance involved in each transaction. Please include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, slits, composite, etc.).

*TYCO Response #2h: No documentation has been found that describes or relates to tests, analytical results or manifests involved with the phenolic wastewater waste stream except that document already noted above.*

- i. The final disposition of each of the hazardous substances involved in each arrangement.

*TYCO Response #2i: As previously noted, as indicated in the limited documentation discovered, and as confirmed in this author's discussion with Mr. John Nicholas, former Ansul Employee, the phenolic wastewater stream was transported from Ansul Marinette by Waste Management, Inc., to its Calumet City, Calumet, Illinois facility for disposal.*

- j. All persons, including you, who may have entered into an agreement or contract for the disposal, treatment or transportation of a hazardous substance at or to the Site. Please provide the persons' titles and departments/offices.

*TYCO Response #2j: The document provided in response to Question 2(a) above is the only document discovered that relates to any agreement or contract for disposal, treatment or transportation of the phenolic wastewater waste stream, and it indicates that disposal was intended by Waste Management, Inc. at its Calumet City, Calumet, Illinois facility. No documentation has been discovered that suggests or indicates disposal of this waste stream to any other site, including the GDC Landfill.*

- i. The names, addresses, and telephone numbers of persons or entities who received the hazardous substances from the persons described in 2(j) above.

*TYCO Response #2j(i): Tyco believes the address of Waste Management, Inc. Sales office, to have been Chemical Waste Management, Inc., 4300 West 123<sup>rd</sup> Street, Alsip, Illinois 60658, (312) 396-1050. State Generator ID 955075001, State ID 03160030; Tyco believes the address of the Waste Management Calumet City facility to have been Chemical Waste Management, Inc. 138<sup>th</sup> & Calumet Expressway, Calumet City, Illinois 60409.*

- ii. Any person with whom the persons described in 2(j) made such arrangements.

*TYCO Response #2j(ii): Mr. John Nicholas, former Ansul Employee, stated that he believed arrangements were made through Waste Management's Mr. Bob Klimosky (uncertain of spelling), General Manager, Chemical Waste Management located in Germantown, Wisconsin (no address known).*

- iii. The dates when each person described in 2(j) made such arrangements and provide any documentation.

*TYCO Response #2j(iii): Mr. John Nicholas, former Ansul Employee indicated that Chemical Waste Management's Mr. Klimosky made arrangements for transportation and disposal of the phenolic wastewater waste stream at the Waste Management Calumet City facility in the early 1980's. No documentation was discovered regarding the dates of this arrangement.*

- iv. The steps you or other persons, including persons identified in 2(j) above took to reduce the spillage or leakage. Please identify any operational manuals or policies (e.g. a facility's spill control policy) which address the management of spills and leaks and provide any documentation.

*TYCO Response #2j(iv): Tyco has discovered no documentation that relates to steps taken to avoid spills or leakage for any materials processed, manufactured or used, including the phenolic wastewater waste stream during the period 1973-1989, the time frame during which GDC is alleged to have operated. No operational Spill Control Policies were found in any of the hundreds of file names reviewed or in any of the 100+ boxes of actual files that, themselves, were individually reviewed.*

- v. The amount paid by you, or other persons referred to in 2(j) above in connection with each transaction for such arrangement, the method of payment, and the identity of the persons involved. Please provide any contacts, written agreements, or documentation reflecting the terms of the agreements.

*TYCO Response #2j(v): Tyco has discovered no documentation that relates to payments associated with transportation or disposal of the phenolic wastewater waste stream.*

- vi. The amount of money received by you or other persons referred to in 2(j) above for the same, transfer, or delivery of any material containing hazardous substances and provide any documentation. If the material was repaired, refurbished, or reconditioned, how much money was paid for this service?

*TYCO Response #2j(vi): Tyco has discovered no documentation that relates to monies received with regard to the phenolic wastewater waste stream discussed above. Tyco believes that it is highly unlikely that the transfer of phenolic wastewater constituted a sale of useful product, with monies flowing back to Ansul.*

- k. Who controlled and/or transported the hazardous substances prior to delivery to the Site? Provide agreements and/or documents showing the times when each party possessed the hazardous substances.

*TYCO Response #2k: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No documentation has been discovered that relates in any way to the GDC Landfill.*

- l. The owner(s) or possessor(s) (persons in possession) of the hazardous substances involved in each arrangement for disposal or treatment of the substances. If the ownership(s) changed, when did this change(s) occur? Please provide documents describing this transfer of ownership, including the date of transfer, persons involved in the transfer, reason for the transfer of ownership, and details of the arrangement(s) such as contracts, agreements, etc. If you did not own the hazardous substances when shipped, who did own it and how did you come to own the hazardous substances?

*TYCO Response #2l: The only document that Tyco has discovered that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. Mr. John Nicholas, a former Ansul Employee, stated that Ansul generated a phenolic wastewater waste stream as a resultant distillation still bottoms residue and that it was transferred by Ansul to Chemical Waste Management for transportation and disposal at its Calumet City, Illinois facility. The document noted above is the only documentation discovered by Tyco regarding and confirming this assertion. No documentation has been discovered that relates in any way to the GDC Landfill.*

- m. Who selected the location where the hazardous substances were to be disposed or treated?  
*TYCO Response #2m: Mr. John Nicholas, former Ansul Employee indicated that Chemical Waste Management's Mr. Klimosky made arrangements for transportation to and disposal of the phenolic wastewater waste stream at the Waste Management Calumet City facility in the early 1980's. Mr. Nicholas indicated that he believed Mr. Klimosky would have been contacted for advice regarding waste stream disposal by Waste Management. No documentation has been discovered by Tyco that relates in any way to the GDC Landfill. Mr. Nicholas indicated that he had never heard of the GDC Landfill nor did he ever direct any waste stream to this Site.*
- n. How were the hazardous substances or materials containing hazardous substances planned to be used at the Site?  
*TYCO Response #2n: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No information has been discovered in response to this request that defines the specific treatment or disposal method to have been employed by Waste Management's Calumet City facility for this waste stream. No documentation has been discovered that relates in any way to the GDC Landfill.*
- o. What was done to the hazardous substances once they were brought to the Site, including any service, repair, recycling, treatment, or disposal?  
*TYCO Response #2o: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No information has been discovered in response to this request that defines the specific treatment or disposal method to have been employed by Waste Management's Calumet City facility for this waste stream. No documentation has been discovered that relates in any way to the GDC Landfill.*
- p. What activities were typically conducted at the Site or the specific facility where the hazardous substances were sent? What were the common business practices at the Site? How and when did you obtain this information?  
*TYCO Response #2p: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No information has been discovered in response to this request that defines the specific treatment or disposal method to have been employed by Waste Management's Calumet City facility for this waste stream. However, communications with Dan Heidenreich, Midwest Group Manager for Waste Management (Office 262-532-8042) by Tyco's EHS Marinette, WI EHS Manager Paul Stachewicz on 17Feb12, indicated that tank truck liquids would have been accepted only between Sep81 and Sep82, since a landfill liquid ban became effective on/about 1Sep82 and his company's policy was to keep documents on-site for only a three year period. No documentation has been discovered that relates in any way to the GDC Landfill.*

- q. How were the hazardous substances typically used, handled, or disposed of at the Site?  
*TYCO Response #2q: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No information has been discovered in response to this request that defines the specific treatment or disposal method to have been employed by Waste Management's Calumet City facility for this waste stream. No documentation has been discovered that relates in any way to the GDC Landfill.*
- r. How long did you have a relationship with the owner(s) and/or operator(s) of the Site?  
*TYCO Response #2r: No documentation has been discovered that relates in any way to the GDC Landfill. Neither Ansul nor Tyco had a known relationship with the GDC Landfill.*
- s. Did you have any influence over waste disposal activities at the Site? If so, how?  
*TYCO Response #2s: No documentation has been discovered that relates in any way to the GDC Landfill. Neither Ansul nor Tyco had any known relationship with the GDC Landfill and therefore had no influence over nor knowledge of waste allegedly disposed at the GDC Landfill.*
- t. What percentage of your total hazardous substances went to the Site?  
*TYCO Response #2t: No documentation has been discovered that relates in any way to the GDC Landfill. Because of the relationship discussed above between Ansul and Chemical Waste Management with respect to the phenolic wastewater waste stream, none of its wastes are known to have been disposed of at the GDC Landfill.*
- u. What steps did you take to dispose of or treat the hazardous substances? Please provide documents, agreements and/or contracts reflecting these steps.  
*TYCO Response #2u: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. No information has been found or uncovered that relates to specific treatment of this waste stream.*
- v. What involvement (if any) did you have in selecting the particular means and method of disposal of the hazardous substances?  
*TYCO Response#2v: Mr. John Nicholas, former Tyco Employee indicated that Chemical Waste Management's Mr. Klimosky made arrangements for transportation and disposal of the phenolic wastewater waste stream at the Waste Management Calumet City facility in the early 1980's. Mr. Nicholas indicated that he believed Mr. Klimosky would have been contacted for advice regarding waste stream disposal by Waste Management. No documentation has been discovered by Tyco that relates in any way to the GDC Landfill. Mr. Nicholas indicated that he had never heard of the GDC Landfill nor did he ever direct any waste to that Site.*

- w. At the time you transferred the hazardous substances, what did you intend to happen to the hazardous substances? Please provide any contracts, written agreements, and/or other documentation reflecting the intention of the parties. If you do not have such documents and/or materials, please so state.

*TYCO Response #2w: The document provided in response to Question 2(a) above is the only document discovered that relates to any agreement or contract for disposal, treatment or transportation of the phenolic wastewater waste stream, and it indicates that disposal was intended by Waste Management, Inc. at its Calumet City, Calumet, Illinois facility. No documentation has been discovered that suggests or indicates disposal of this waste stream to any other site, including the GDC Landfill.*

- x. With respect to all transactions involving hazardous substances, at the time of the transaction, specify the measures you took to determine the actual means of treatment, disposal or other uses of hazardous substances. Provide information you had about the treatment and disposal practices at the Site. What assurances, if any, were you given by the owners/operators at the Site regarding the proper handling and ultimate disposition of the materials you sent there?

*TYCO Response #2x: Tyco has discovered no documentation which defines the measures taken to determine the actual means of treatment, disposal or other uses of waste that is relevant to the time period during which the GDC Landfill operate. Tyco has no knowledge of and has discovered no documentation that relates to its phenolic wastewater being disposed of in any location other than at the Calumet City Waste Management, Inc. facility in Calumet, Illinois. Tyco has no knowledge of and has discovered no documentation in its records that state or imply any relationship with GDC Landfill.*

- y. What efforts, if any, did you take to investigate the nature of the operations conducted at the Site and the environmental compliance of the Site prior to selling, transferring, delivering (e.g., for repair, consignment, or joint-venture), disposing of, or arranging for the treatment or disposal of any hazardous substances.

*TYCO Response #2y: Tyco has no knowledge of and has found no documentation that relates to its phenolic wastewater being disposed of any location other than at the Calumet City Waste Management, Inc. facility in Calumet, Illinois. Tyco has no knowledge of and has discovered no documentation in its records that state or imply any relationship with or prior knowledge of the GDC Landfill. No investigation of the Site was undertaken.*

- z. Was there a shrinkage/spillage provision or loss allowance in the contract, or an understanding outside of the contract? As a part of the transaction, was there any penalty for shrinkage, spillage, or loss? Did the arrangement acknowledge that spills would occur?

*TYCO Response #2z: Tyco has no knowledge of and has discovered no documentation in its records that state or imply any relationship with GDC Landfill including contracts addressing the matter of shrinkage or spillage. Tyco has no knowledge of and has discovered no documentation in its records that state or imply any relationship with or prior knowledge or use of the GDC Landfill.*



3. Provide names, addresses and telephone numbers of any individuals including former and current employees, who may be knowledgeable of Ansul's operations and hazardous substances handling, storage and disposal practices.
- a. *TYCO Response #3: Current Employees who are knowledgeable of current operations:*
    - i. Paul Stachewicz, Environment, Health and Safety Manager, Tyco Fire Products, Marinette Operations, One Stanton Street, Marinette, WI 54143, Tel: 715-735-7411 x73286
    - ii. Scott Stacy, Environmental Engineer, Tyco Fire Products, Marinette Operations, One Stanton Street, Marinette, WI 54143, Tel: 715-735-7411 x73286
    - iii. Rick Rickaby, Tyco employee, Tyco Fire Products, Marinette Operations, One Stanton Street, Marinette, WI 54143, Tel: 715-735-7411 x73286
  - b. *Former Employees who may be knowledgeable of prior operations:*
    - i. John Nicholas, Former Ansul Facilities Engineer and HSE Manager, local to Marinette, WI, Tel: 906-863-8746
4. State the date(s) on which the drums and/or hazardous substances were sent, brought or moved to the Site and the name, addresses and telephone numbers of the person(s) making arrangements for the drums to be sent, brought or moved to the Site.
- TYCO Response #4: Tyco has found no documentation indicating any connection to the GDC Landfill and has no knowledge of any of its waste being shipped or moved to the GDC Landfill .*
5. List all federal, state and local permits and/or registrations issued to Ansul for the transport and/or disposal of materials.
- TYCO Response #5: Tyco Marinette is a registered large quantity generator in the State of Wisconsin and has been assigned the EPA ID # WID006125215; the Tyco operation at the Industrial Parkway location in Marinette is assigned EPA ID # WIT560011850 and is also a large quantity generator.*
6. Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.
- TYCO Response #6: The only document that Tyco has found that relates to the transportation and disposal of the phenolic wastewater waste stream is provided in response to 2(a) above. That document includes the EPA ID as noted in #5 above.*
7. Were all hazardous substances transported by licensed carriers to hazardous waste TSDF's permitted by the U.S. EPA?
- TYCO Response #7: The entire volumetric shipment of phenolic wastewater, 100%, was classified as "Not Hazardous" pursuant to EPA Hazard Designation and as "Non-Regulated" pursuant to the Department of Transportation's classification system.*
8. List all federal, state and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.
- TYCO Response #8: Tyco Marinette is a registered large quantity generator in the state of Wisconsin and has been assigned the EPA ID # WID006125215; the Tyco operation at the Industrial Parkway location in Marinette is assigned EPA ID # WIT560011850 and is also a large quantity generator.*

9. Does your company or business have a permit or permits issued under RCRA? Does it have, or has it ever had, a permit or permits under the hazardous substance laws of the State of Indiana? Does your company or business have an EPA Identification Number, or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.

*TYCO Response #9: No permits have been issued to Tyco pursuant to RCRA and it has no such similar permits pursuant to the State of Indiana or any other State.*

10. Identify whether a Notification of Hazardous Waste Activity was ever filed with the EPA or the corresponding agency or official of the State of Indiana, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.

*TYCO Response #10: Tyco is unable to determine the date of filing of a Notification of Hazardous Waste Activity with EPA; no such notice was filed with the corresponding agency of the State of Indiana.*

11. Provide the correct name and addresses of your plants and other buildings or structures where Ansul carried out operations in Indiana and Illinois (excluding locations where ONLY clerical/office work was performed).

*TYCO Response #11: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have ever been located in Indiana.*

12. Provide a schematic diagram or flow chart that fully describes and/or illustrates your company's operations.

*TYCO Response #12: Operations of Tyco today are completely changed and different from what the Ansul Specialty Chemicals processes were in the period while the GDC Landfill was operational; they currently bear no relationship to a process that may have generated the phenolic wastewater as alleged in the Mathew Klein-nexus document. Tyco no longer owns a Specialty Chemicals business as it was sold by Ansul sometime in the mid 1980's before Tyco purchased Ansul. No process maps of any chemical operations were discovered during the Tyco due diligence.*

13. Provide a brief description of the nature of your company's operations at each location including: If the nature or size of your company's operations changed over time, describe those changes and the dates they occurred.

*TYCO Response #13: Tyco processes today involve metal cylinder fabrication and welding; mixing, grinding, blending of powdered fire suppression products and mixing/blending of foam/fire suppression products. As noted above, chemical manufacturing no longer takes place in the current facilities as the chemical manufacturing component of the business was sold by Ansul in mid-to-late 1980's, before Tyco purchased Ansul.*

14. List the types of raw materials used in your company's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

*TYCO Response #14: Tyco processes today involve metal cylinder fabrication and welding, mixing, grinding, blending of dry-powdered fire suppression products and mixing/blending of liquid/foam fire suppression products. As noted above, chemical manufacturing no longer takes place in the current facilities as the chemical manufacturing component of the business was sold by Ansul in mid-to-late 1980's, before Tyco purchased Ansul. Raw materials used in the current operations are not the same as those used in the former Specialty Chemical Manufacturing operations that have since been sold.*

15. Provide copies of Material Safety Data Sheets (MSDA) for materials used in your company's operations.  
*TYCO Response #15: Tyco processes today involve Fire Cylinder fabrication and welding, mixing, grinding, blending of dry-powdered fire suppression products and mixing/blending of liquid foam fire suppression products. As noted above, chemical manufacturing no longer takes place in the current facilities as the chemical manufacturing component of the business was sold by Ansul in mid-to-late 1980's, before Tyco purchased Ansul. MSDS's applicable to products produced or raw materials used in the current operations are not the same as those used in the former Specialty Chemical Manufacturing operations that have since been sold.*
16. Provide any release reports that were taken pursuant to Section 103(a) of CERCLA and Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA).  
*TYCO Response #16: To the best of Tyco's current knowledge and based on a thorough review of available and relevant environmental and business documents, no release reports, pursuant to Section 103(a) of CERCLA or Section 304 of the Emergency Planning and Community Right to Know Act (EPCRA) have ever been filed by Tyco because such qualifying emergency releases of hazardous substances or extremely hazardous substances have not occurred.*
17. Identify all federal offices to which Ansul has sent or filed hazardous substance or hazardous waste information.  
*TYCO Response #17: Tyco has filed hazardous substance information to the following Federal Offices:*
- *EPCRA Reporting Center, C/o Computer Based Systems, Inc., Suite 3000, 4600 North Fairfax Drive, Arlington, VA 22203 for Tyco Fac. ID. 54143NSLFRONEST and 54143NSLFRPIERC.*
  - *copies to Wisconsin Department of Natural Resources, 101 South Webster Street, POBox 7921, Madison, WI 53707*
18. State the years during which such information was sent/filed.  
*TYCO Response #18: Reports responsive to Q.17 above have been discovered from 1997 to present; Tyco was unable to locate reports prior to reporting year 1996 during the due diligence conducted prior to preparing this response.*
19. Identify (see Definitions) all Illinois and Indiana state offices to which Ansul has sent or filed hazardous substance or hazardous waste information.  
*TYCO Response #19: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have ever been located in Indiana. No reports to either state have been located during due diligence and none are known or suspected of having been produced or required.*
20. State the years during which such information was sent/filed.  
*TYCO Response #20: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have ever been located in Indiana. No reports to either state have been located during due diligence and none are known or suspected of having been produced or required during any prior years.*

21. List all federal and state environmental laws and regulations under which Ansul has reported to federal or state governments, including but not limited to: Toxic Substances Control Act (TSCA), 15 U.S.C. Sections 2601 to 2692; Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. Sections 11001 to 11050; and the Clean Water Act 33 U.S.C. Sections 1251 to 1387.

*TYCO Response #21: Tyco is subject to most of the major Federal and State Environmental laws and regulations, including TSCA, CAA, CWA, RCRA, CERCLA, SARA/EPCRA and all Wisconsin State counterparts.*

22. Identify the federal and state offices to which such information was sent.

*TYCO Response #22: Information relevant to the above response would have been sent to the Environmental Protection Agency, Region V, 77 West Jackson Boulevard, Chicago, IL 60604-3590 or direct to the Washington, D.C. HQs offices and/or to Wisconsin Department of Natural Resources, 101 S. Webster Street . PO Box 7921. Madison, Wisconsin 53707-7921. 608.266.2621 or to its regional office serving the Marinette geographic location.*

23. For each type of waste (including by-products) from Ansul's operations in Indiana and Illinois during the time period of 1975 through 1999, including but not limited to all liquids, sludges, and solids, provide the following information:

- a. its physical state;
- b. its nature and chemical composition;
- c. its color;
- d. its odor;
- e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
- f. the dates (beginning & ending) during which each type of waste was produced by Your company's operations.

*TYCO Response #23: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have ever been located in Indiana. No chemical waste including by-products, would have been generated, except normal industrial rubbish and trash typical of a distribution center (boxes, cardboard, paper, broken wooden pallets, etc.).*

24. Provide a schematic diagram that indicates which part of Ansul's operations generated each type of waste including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

*TYCO Response #24: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have been located in Indiana. No chemical waste including by-products, would have been generated, except normal industrial rubbish and trash typical of a distribution center (boxes, cardboard, paper, broken wooden pallets, etc.). Therefore, no schematic diagram appears to be required or relevant.*

25. Describe how each type of waste was collected and stored at Ansul's operation prior to disposal/recycling/sale/transport, including:

- a. the type of container in which each type of waste was placed/stored; and
- b. where each type of waste was collected/stored.

*TYCO Response #25: An Ansul Product Distribution Center was previously located at 13144 Pulaski Road in Alsip, IL. No other facilities are known to have existed in Illinois. No facilities are known to have ever been located in Indiana. No chemical waste including by-products, would have been generated, except normal industrial rubbish and trash typical of a distribution center (boxes, cardboard, paper, broken wooden pallets, etc.). Therefore, no description of possible rubbish collection container appears necessary; it is likely, but not actually known, that rubbish was collected in dumpsters and serviced by the municipal trash haulers that serviced Alsip, IL and the distribution center.*

26. Provide copies of all casualty, liability and/or pollution insurance policies, and any other insurance contracts related to the Gary Development Landfill (including, but not limited to, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies, Institutional Controls and Post Remediation Care Insurance) that provide Ansul with liability insurance for damage to third party property from 1975 to 1999.

*TYCO Response #26: Questions 26-35 deal with Insurance matters that are likely not applicable to the Tyco response. This is based on a phone conversation held between the Tyco author and Region V's Ms. Nichole Wood-Chi on 28Feb12.*

27. To the extent not provided in question 26 above, provide copies of all insurance policies that may potentially provide Ansul with insurance for bodily injury, property damage and/or environmental contamination in connection with the Site and/or Ansul's business operations. Include, without limitation, all comprehensive general liability, primary, excess, and umbrella policies.

*TYCO Response #27: See above*

28. To the extent not identified in Questions 26 or 27 above, provide all other evidence of casualty, liability and/or pollution insurance issued to your company for the period being investigated as identified in Question 26.

*TYCO Response #28: See above*

29. If there are any such policies from Questions 26, 27, or 28 above of which you are aware but neither possess copies, nor are able to obtain copies, identify each such policy to the best of your ability by identifying:

- a. The name and address of each insurer and of the insured;
- b. The type of policy and policy numbers;
- c. The per occurrence policy limits of each policy; and
- d. The effective dates for each policy.

*TYCO Response #29: See above*

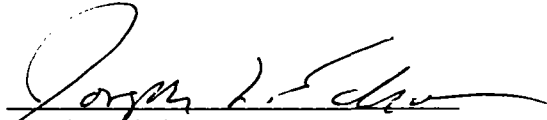
30. Identify all insurance brokers or agents who placed insurance for the Ansul at any time during the period being investigated as identified in Question 26, and identify the time period during which such broker or agent acted in this regard. Identify by name and title, if known, individuals at the agency or brokerage most familiar with Ansul's pollution and/or liability insurance program and the current whereabouts of each individual.

*TYCO Response #30: See above*

31. Identify all previous settlements by your company (or your company's predecessors) with any insurer which relates in any way to environmental liabilities and/or to the policies referenced in Questions 26-29 above, including:
- a. The date of the settlement;
  - b. The scope of release provided under such settlement;
  - c. The amount of money paid by the insurer pursuant to such settlement.
  - d. Provide copies of all such settlement agreements.
- TYCO Response #31: See above*
32. Identify all communications and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Ansul under any insurance policy referenced in Questions 26-29 above. Include any responses from the insurer with respect to any claims.
- TYCO Response #32: See above*
33. Identify any and all insurance, accounts paid or accounting files that identify Ansul's insurance policies.
- TYCO Response #33: See above*
34. List all named insureds on property, pollution and/or casualty liability insurance providing coverage to Ansul during the period being investigated as identified in Questions 26, and the date such named insureds appeared on the policies.
- TYCO Response #34: See above*
35. Identify any person or organization requiring evidence of Ansul's casualty, liability and/or pollution insurance during the period being investigated as identified in Question 26, including the nature of the insurance requirement and the years when the evidence was required.
- TYCO Response #35: See above*
36. Identify your company's policy with respect to document retention.
- TYCO Response #36: Tyco has instituted a Records Management Program, most recently updated 29Nov'10) that includes a detailed Document Retention component. The Document Retention segment is specific to both Business Function and to the Document Classification of those documents commonly used or generated within that business function. A Records Retention Schedule is provided that defines the time periods under which specific classes of documents are to be maintained or otherwise managed. The Records Management Program Policy states, "It is Tyco's policy to retain accurate and complete records, comply with legal and regulatory recordkeeping requirements, discard Official Records no longer needed for legal, fiscal, operational or historical reasons in accordance with the Company's approved records schedules , and suspend the destruction of records as may be required because of litigation, government investigation, or audit in accordance with a Destruction Hold issued by the Law or Tax Departments."*

I certify under penalty of law that this document and all Enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A handwritten signature in black ink, appearing to read "Joseph L. Schohn", written over a horizontal line.

Joseph L. Schohn  
Counsel, Environment, Health and Safety  
Tyco International  
1Mar'12

ANSUL

THE ANSUL COMPANY  
1500 SOUTH 20TH AVENUE  
DENVER, COLORADO 80202  
(303) 733-1111

EPA ID NUMBER: WID006125215



WASTE MATERIAL DATA SHEET

Name(s) Phenol Wastewater Residue

Phenolic Wastewater

Source Bldg. 38S - Chemical Manufacturing

COPY

Storage Bulk Tanks - Bldg. 38

Treatment None

Disposal:

Firm Waste Mgmt. of Wisconsin

Site CID-Calumet City

EPA No. ILD010284248

Profile No. 09933

Contract Term Sept. 1, 1981 - Sept. 1, 1982

State Permit 780454(IL)

Expiration Date 6/25/82

State Generator ID 955075001

State Site ID 03160030

Transportation:

Transporter Waste Mgmt. of Wis.

EPA ID No. WID003967148

State ID No. 0900 0337

DOT Shipping Name Non-Regulated Special Waste (Phenol Wastewater Residue)

UN/NA Number None

DOT Hazard Class None

Placards/Labels Controlled Waste Label

EPA Hazard Class None

Containers Tank truck

Hazard Designation:

EPA Classification Not Hazardous

Notebook 1076

Date

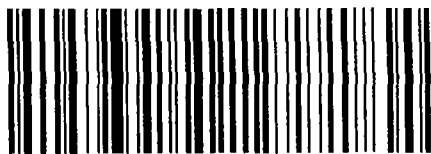
Date Sept. 13, 1981

By J.S. Nicholas

Revision 1(11/12/80)



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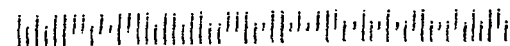
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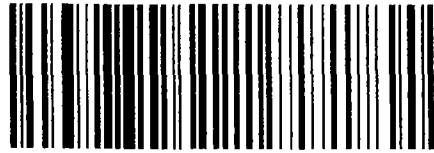
**tyco**

*Tyco International (US) Inc.*  
9 Roszel Road  
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609 720-4200

Ms. Deena Sheppard  
Enforcement Specialist  
U.S. Environmental Protection Agency-  
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Superfund Division SE-5J  
77 West Jackson Blvd.  
Chicago, IL 60604-3590



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**CERTIFIED MAIL**

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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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**tyco**

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Nicole Wood-Chi  
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